



PUBLIC NOTICE

Federal Communications Commission
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DA 11-401

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**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY
BRIDGEWAVE COMMUNICATIONS, INC. FOR WAIVER TO AGGREGATE CONTIGUOUS
CHANNELS OVER A SINGLE CARRIER IN THE 18 GHZ BAND**

WT Docket No. 11-25

Comment Date: March 15, 2011

Reply Comment Date: March 25, 2011

On May 12, 2010, BridgeWave Communications, Inc. (BridgeWave) filed a request for waiver of Section 101.147(r) of the Commission's Rules to authorize fixed users of BridgeWave's radios to aggregate contiguous channels for operation over a single carrier in the 17.7-19.7 GHz (18 GHz)¹ band. BridgeWave is a vendor of fixed microwave equipment used for high-capacity backhaul services.² It develops and supplies multi-gigabit wireless backhaul solutions for broadband networks serving the residential, commercial, educational, public safety and health care sectors.³ BridgeWave has developed wireless backhaul products that operate in the millimeter wave spectrum, particularly the 60 GHz and 80 GHz bands.⁴ BridgeWave is also developing backhaul radios that operate below 40 GHz, including the 18 GHz band.⁵

Section 101.147(r) of the Commission's rules assigns a maximum channel bandwidth of up to 80 megahertz per channel.⁶ BridgeWave contends this limitation on channel bandwidth is far less than what is required to sustain a multi-gigabit capacity backhaul solution.⁷ To provide adequate backhaul

¹ We note that no applications for new Part 101 stations in the 18.3-19.3 GHz band will be accepted at this time, since that band has been reallocated to the Fixed Satellite Service. *See* 47 C.F.R. § 101.147(r). BridgeWave does not request waiver of this provision. Furthermore, as noted below, BridgeWave proposes a condition that all operations must otherwise comply with all relevant Part 101 technical rules. Accordingly, we interpret the request as being limited to the 17.7 - 18.3 GHz and the 19.3 - 19.7 GHz frequency bands. We also note that there is a requirement to coordinate use in the 17.8-19.7 GHz band with the Federal Government in the Denver, Colorado and Washington, DC areas. *See* 47 C.F.R. § 1.924(e).

² *See* Request for Waiver of to Permit Channel Aggregation by Non-MVPD Users of the 18 GHz Band, BridgeWave Communications, Inc. (filed May 12, 2010) (Waiver Request) at 1.

³ *Id.* at 2.

⁴ *Id.*

⁵ *Id.*

⁶ *See* 47 C.F.R. § 101.147(r)(12).

⁷ Waiver Request at 3.

solutions, BridgeWave suggests that a channel bandwidth of 150 megahertz is necessary.⁸ BridgeWave suggests this aggregation could be accomplished through aggregating three contiguous 50 megahertz channels to create a single 150 megahertz channel that can be transmitted on a single RF carrier.⁹ BridgeWave also contends that allowing channel aggregation for wireless backhaul solutions at 18 GHz would bring the service in line with equivalent wireless backhaul services in the 24 GHz and 39 GHz bands.¹⁰ Additionally, BridgeWave asserts the operation over three aggregated 50 megahertz channels via a single carrier would create no new interference implications for other uses of the 18 GHz band.¹¹

Should a waiver be granted, BridgeWave states that it voluntarily agrees to the following conditions in advance:

- (a) BridgeWave shall advise its customers that all operations pursuant to the requested waiver must otherwise comply with the relevant Part 101 technical rules;
- (b) For any BridgeWave 18 GHz radio that is designed and equipped to operate under the requested waiver, BridgeWave shall include sufficiently detailed installation instructions and guidelines to ensure that users of those radios are informed of the terms and conditions of the waiver and their obligations thereunder; and
- (c) BridgeWave's customers will be advised that any operations under the requested waiver will be subject to any action the Commission may take in its post-National Broadband Plan Part 101 rulemaking (or any other similar proceeding) that affects channel aggregation in the 18 GHz band.¹²

Accordingly, we seek comment on BridgeWave's Waiver Request to allow operation over three aggregated 50 megahertz channels via a single carrier. We invite comment on whether a waiver is appropriate, and, if so, whether the conditions proposed by BridgeWave are appropriate, or whether additional conditions are required.

Procedural Matters

Comments on the request are due **March 15, 2011**. Reply comments are due **March 25, 2011**. All filings should reference the docket number of this proceeding, WT Docket No. 11-25.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹³ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² Waiver Request at 6.

¹³ See 47 C.F.R. §§ 1.1200(a), 1.1206.

the subjects discussed.¹⁴ More than a one- or two-sentence description of the views and arguments presented is generally required.¹⁵

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, as follows:

-Effective December 28, 2009, all hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m. **PLEASE NOTE:** This is the **ONLY** location where hand-delivered or messenger-delivered paper filings for the Commission's Secretary will be accepted. The Commission's former filing location at 236 Massachusetts Ave., N.E., is permanently closed.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

-U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Parties shall send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

The request, and comments and reply comments filed in response to this *Public Notice*, will be available for public inspection and copying during business hours via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 11-25. They may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

¹⁴ *See* Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

¹⁵ *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). *See* 47 C.F.R. § 1.1206(b).

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For further information, contact Kevin Holmes, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0564, Kevin.Holmes@fcc.gov.

Action by the Chief, Broadband Division, Wireless Telecommunications Bureau.

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